

Mayor Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers Kay Carlquist, Robert Jurca, Guy Pfalzgraff and Bill Seuell, along with City Manager Lanny Sloan and City Attorney Mike Schottelkotte. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Pledge of Allegiance

The Mayor led everyone present in the Pledge of Allegiance.

Changes to the Agenda

There were none.

Minutes

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to approve the minutes of October 21, 2008 regular meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Hotel/Restaurant Liquor License Renewal: Ocean Pearl

The Clerk explained that Ocean Pearl has submitted a renewal for their liquor license and that all fees have been paid. The Police Department has recommended renewal.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to approve the renewal for Ocean Pearl Delta. All in favor, motion carried.

Club Liquor License Renewal: BPOE Lodge No. 1235

The Clerk also explained that BPOE Lodge No. 1235 has submitted a renewal for their liquor license and all fees have been paid. The Police Department has recommended renewal.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Seuell to approve the renewal for BPOE Lodge No. 1235. All in favor, motion carried.

**Transfer of Ownership Application:
Pramukh Hospitality, LLC/DBA Best Western Sundance**

The Clerk stated that Pramukh Hospitality, LLC has purchased the Best Western Sundance and have submitted a transfer of ownership for the hotel/restaurant liquor license. The application is complete, all fees have been paid and the two owners MahendraKumar Patel and Atubhai Patel have been fingerprinted which have been sent to CBI and FBI. Ms. Nelson explained that the Police Department has completed a records check on both applicants and indicates neither has a record. At this time they are operating under a temporary license that was issued when they submitted the application.

It was moved by Councilmember Carlquist and seconded by Councilmember Seuell to approve the transfer of the Best Western Sundance hotel/restaurant liquor license from Best Western Sundance, LLC to Pramukh Hospitality, LLC DBA Best Western Sundance, contingent on receiving favorable fingerprints on the new owners. All in favor, motion carried.

**Ordinance #10, 2008; Second and Final Reading
Rezoning of Property Located at 5th Street and Silver Street**

Ordinance #10, 2008

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
CHANGING THE ZONING DESIGNATION OF PROPERTY AT
5TH STREET AND SILVER STREET FROM AN I-2 DISTRICT TO
A B-3 DISTRICT

Regular Meeting, Delta City Council, November 4, 2008 (Cont.)

Ordinance #10, 2008 (cont.)

was introduced as Council Bill #10, 2008 and read by the Clerk.

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to adopt Council Bill #10, 2008 on second and final reading. Roll call vote: Councilmembers Carlquist aye, Jurca aye, Seuell aye, Pfalzgraff aye and Cooper aye. Council Bill #10, 2008 was adopted on second and final reading as Ordinance #10, 2008.

Memorandum of Understanding with All Points Transit

City Manager Lanny Sloan stated that the City has been working with All Points Transit to assume the services that provide transportation to seniors and others within Delta County. He explained that before Council tonight is a Memorandum of Understanding between All Points Transit, Delta County and all the cities within Delta County stating the responsibilities of all identities. He stated that the City of Delta would have an initial cost of \$2,933 and next year's cost would be \$14,556. Mr. Sloan explained what type of transportation services this would provide to the community.

There was some discussion regarding the transfer of assets and the budget for the memorandum of understanding.

It was moved by Councilmember Carlquist and seconded by Councilmember Pfalzgraff to approve the Memorandum of Understanding between the City of Delta and All Points Transit and authorize the Mayor to sign the Memorandum. All in favor, motion carried.

Delta Urban Renewal Authority: Delta County Historical Society Museum Request to Construct Addition to Museum

The Mayor recessed the regular Council meeting and convened a meeting of the Delta Urban Renewal Authority.

City Manager Lanny Sloan explained that they have received a letter from the Delta County Historical Society requesting the ability to construct an addition to the museum. He continued to explain that as the Delta Urban Renewal Authority they are the owners of the building. If DURA approves this request they will need to go to the Planning Commission to get a variance to build up to the property line due to the setbacks. Mr. Sloan stated that city staff is very concerned about the setbacks.

Community Development Director Glen Black addressed questions on the setbacks. Mr. Black explained what the Delta County Historical Society is proposing to build. He also explained the process for the variance request.

Mr. Black answered questions from Council regarding the current structure.

Utilities Director Fay Mathews and Public Works Director Jim Hatheway addressed the concerns staff has regarding the setbacks.

Attorney Mike Schottelkotte suggested that if Council has any inclination to approve this tonight that they approve it conditional upon Planning Commission's approval of the variance request. He stated that would be the end of the process and would eliminate any prejudging while representing DURA and City Council.

There was discussion amongst City Council regarding the request.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to deny approval of the request from the Delta County Historical Society Museum to construct an addition to the museum. All in favor, motion carried.

The Mayor closed the DURA meeting and reconvened the regular Council meeting.

City Attorney Comments

City Attorney Mike Schottelkotte complimented Mr. Black on his presentation to DURA.

Regular Meeting, Delta City Council, November 4, 2008 (Cont.)

City Manager Comments

There were none.

Councilmember Comments

Councilmember Carlquist stated that she attended a housing task force meeting and gave a report of that meeting.

The meeting was adjourned at 7.31 p.m.

Jolene E. Nelson, City Clerk